

Inter-American Court Gives Canada Two Months to Respond

On August 22nd, 2011, the Organization of American States (OAS) on behalf of the Inter-American Commission on Human Rights (IACHR) sent a Note to the Canadian government concerning petition **P-879-Loni Edmond-Canada**, contesting the right of the BC Ministry of Children and Families to remove the children of Lil'wat mother, Loni Edmond. The Note contained pertinent parts of the Petition, and gave the Canadian government two months to respond.

The Petition was initiated by Lil'wat human rights activist, James Louie, and drafted by Dr. Y. N. Kly, international legal consultant for the International Human Rights Association of American Minorities (IHRAAM) an international NGO in consultative status with the UN. It was submitted to the OAS in 2007. For four years thereafter, Petitioners submitted a steady stream of supporting documents to the IACHR, supplemented by signatures of indigenous supporters. The effort accelerated with the accreditation of Lil'wat delegates James Louie and Alvin Nelson as IHRAAM representatives to the UN Permanent Forum on Indigenous Issues in May of 2011, where they solicited support for the Petition among attendees and diplomats.

The Petition contested the Ministry of Children and Families' right to exercise jurisdiction over the children of Loni Edmond by removing them from their mother, despite the fact that the Canadian government does not have a treaty with the Lil'wat Nation. It questioned the international legal standing of Canada's assumption of jurisdiction that relied on its own domestic law, dismissing historic treaties with First Nations by placing them in a tangential, so-called "sui generis", category of law.

An estimated 67,000 children are placed in out-of-home care across Canada, of which more than 27,500 are First Nations children. This is three times the number of First Nations children that were placed in residential schools during their peak.

Mrs. Diana Kly
Acting Chair
International Human Rights Association
of American Minorities (IHRAAM)
Ste. 117, 1-5765 Turner Rd.
Nanaimo, BC V9T 6M4
Canada



INTER - AMERICAN COMMISSION ON HUMAN RIGHTS
COMISION INTERAMERICANA DE DERECHOS HUMANOS
COMISSÃO INTERAMERICANA DE DIREITOS HUMANOS
COMMISSION INTERAMÉRICAINÉ DES DROITS DE L'HOMME

SFP 23 2011
IACHR 50 years
defending
HUMAN RIGHTS

ORGANIZATION OF AMERICAN STATES
WASHINGTON, D.C. 20006 U.S.A.

August 22, 2011

RE: Loni Edmond
P-879-07
Canada

Dear Petitioners:

I am pleased to address you on behalf of the Inter-American Commission on Human Rights in connection with the petition referred to above, concerning the situation of Loni Edmond in Canada.

I hereby inform you that by means of a note sent today the pertinent parts of your petition have been forwarded to the Government of Canada, which has been given a period of two months in which to submit its response, in compliance with Article 30 of the Commission's Rules of Procedure.

This request for information implies no prejudgment regarding the decision the Commission may adopt with respect to the petition's admissibility.

Sincerely,

Santiago A. Canton
Executive Secretary

Dr. Y. N. Kly – Diana Kly
International Human Rights Law Consultant
IHRAAM International Law Clinic
1 - 5765 Turner Road, Suite 117
Nanaimo, BC V9T 6M4
Canada
Telefax: 1 250-758-0449
ihraam@usa.net

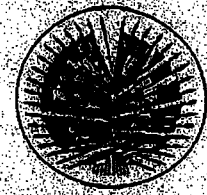
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COMMISSION INTERAMÉRICAINÉ DES DROITS DE L'HOMME



ORGANIZATION OF AMERICAN STATES
WASHINGTON, D.C. 20006 U.S.A.

17 de Julio de 2007

RE: Lois Edmond
P-879-07
Canada

Dear Dr. Kly:

I am pleased to address you on behalf of the Inter-American Commission on Human Rights in order to acknowledge receipt of your communication dated June 30, 2007, received by this Executive Secretariat on July 9, 2007, in connection with your complaint against the State of Canada. The petition has been assigned the number provided in the reference above.

I wish to inform you that the claim you presented is now under study in accordance with the current Rules of Procedure and that the Executive Secretariat of the Commission will be contacting you in due course to inform you of the result.

Sincerely yours,


Santiago A. Cajon
Executive Secretary

Dr. Kly, International Human Rights Law Consultant
o/c IHRAAM International Law Clinic
1-5765 Turner Rd. Ste. 117
Nanaimo, BC V9T 6M4, Canada